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PART - IIA

GOVERNMENT OF MEGHALAYA ORDERS BY THE GOVERNOR

NOTIFICATIONS

The 4th September, 2009.

No.FEG.47/2009/6.—The Governor of Meghalaya is pleased to accord approval for deputation of Shri A. N. Sangma, Financial Adviser, Soil & Water Conservation Department and FAO Sport & Youth Affairs/Chief Inspector of Boilers & Factories to the Meghalaya Board of School Education, Tura, and to place the services of the officer at the disposal of Education Department for appointment as Chief Accounts Officer of M.B.O.S.E. Tura, as per following deputation terms and conditions:-

1. **Period of Deputation :-** 1 (one) year with effect from the date of joining.
2. **Pay :-** During the period of deputation, the officer will be entitled to draw his own pay and allowances as admissible under the State Government Rules plus deputation (duty) allowances at 5% of the employee's basic pay, subject to a maximum of Rs. 500/- per month when the transfer is within the same station and 10% of the employee's basic pay, subject to a maximum of Rs. 1000/- per month, if the transfer is outside the same station, provided that the basic pay plus deputation (duty) allowances shall at no time exceed Rs. 15,625/- per month.

OR

The officer may elect the scale of pay prescribed by the Foreign Employer/Borrowing Government plus other allowances admissible under the Rules of the Foreign Employer/Borrowing Government but without the benefit of deputation (duty) allowance subject to the restriction laid down in Para 4, 5 of the O.M. No. FEG.74/72/357, dated 21st December, 1998.

3. **Dearness Allowances :-** The officer will be entitled to Dearness Allowance under the rules of his parent Government or under the rules of Foreign Employer/ Borrowing Government or he draws pay in the scale of pay attached to the post under the Foreign Employer/Borrowing Government.
4. **Joining Time :-** The officer will be entitled to joining time and T A/DA both on joining the post on deputation and on reversion there from, to the parent Government under the rules of Foreign Employer. The expenditure to the purpose will be borne by the Foreign Employer, TA/DA for the journey performed on tour in connection with the works of the Foreign Employer will be paid by and under the rules of the Foreign Employer.
5. **Leave Salary and Pension Contribution :-** The Foreign Employer will be liable to pay the leave salary and pension contribution according to the prescribed rate enforce from time to time. Regarding payment of leave salary, the procedure laid down in O.M. No.FEG.74/72/114, dated 4th November, 1975 shall apply.

6. **Leave Salary during Disability Leave** :- The Foreign Employer will be liable to pay the leave salary in respect of any disability incurred and in through service under the Foreign Employer even if such disability manifest itself after the termination of service under the Foreign Employer.
7. **Pension or Contribution to Provident Fund** :- The officer will not be allowed to join any pension or contributory provident fund scheme.
8. **Medical Facilities** :- The Foreign Employer/Borrowing Government will provide the medical facilities not inferior to those which the officer would have been enjoyed in his parent Government but for his deputation.
9. **Grant of Gratuity or Pension for injury or Death** :- The Foreign Employer will be responsible for payment of any gratuity or pension that may be admissible under the rules if any injury is sustained or death occurs during the service under the Foreign Employer.
10. **Compensatory Allowances** :- The whole expenditure in respect of any compensatory allowances for the period of leave during and/or at the end of services under the Foreign Employer/Borrowing Government before he joins his parent Government will be borne by the Foreign Employer/Borrowing Government.
11. **Local Allowances** :- The officer will be entitled to Local (City) Allowance, House Rent Allowance and other Local Allowances according to the rules of the Foreign Employer/Borrowing Government.
12. **Bonus** :- The officer will be entitled to the bonus, if any at the rate as declared and allowed by the Foreign Employer to the employees if he opts the scale of pay of deputation post.
13. **Leave Rules** :- The officer will remain subject to leave rules applicable to the service of which he is a member.
14. **Travelling Concession** :- The officer will be entitled to Leave Travel concession from the Foreign Employer on the scale he is entitled to under the parent Government and the cost of such concession will be borne by the Foreign Employer.
15. **Residential Accommodation** :- The officer will be entitled to residential accommodation according to the rules of his parent Government or the rules of the Foreign Employer/Borrowing Government according to his option to draw his own grade pay or the scale of pay of the deputation post and the expenditure should be borne by the Foreign Employer/Borrowing Government.
16. **Moveable and Immoveable Properties** :- The officer will regularly furnish returns of moveable and immoveable properties owned by him to his parent Government.
17. **Commencement and Termination of Deputation** :- The date of commencement of services on deputation will be the date in which the officer handed over charge of the post in his parent Department/office, and the date of termination will be the date he takes over charge of the post in his parent Department/office as provided under Fundamental Rules and Subsidiary Rules.

Principal Secretary the Govt. of Meghalaya,
Finance (Establishment) Department.

The 4th September, 2009.

OFFICE MEMORANDUM

Subject :- **TINDAL AND KHALASI EMPLOYEES - REGULARISATION THEREOF.**

No.RDG.3/96/152.—Government have for sometime been considering the desirability of conferring benefits on the existing Tindals and Khalasis who are working in the Meghalaya Survey Office under the Revenue and Disaster Management Department of the State Government. At present such Government Employees are getting only Salary and no other benefits. Therefore, after due consideration it has been decided that the Tindal and Khalasi Employees Scheme, 2008 which will confer certain benefits on this category of Government Employees according to provisions thereof be adapted with immediate effect.

THE MEGHALAYA REGULAR TINDAL AND KHALASI EMPLOYEES SCHEME, 2008.

1. **Name, Commencement and application.**—The scheme shall be called the Meghalaya Regular Tindal and Khalasi Employees Scheme, 2008. It shall come into force on the date of its publication in the Official Gazette. It shall apply to the existing Tindals and Khalasis employees employed in the Meghalaya Survey Office of the Government of Meghalaya.
2. **Explanation.**—For the purpose of the Scheme :-
 - (a) "Tindal/Khalasi Employee" means a person who by any nomenclature called is employed for doing work on a seasonal basis.
 - (b) "Regular Tindal/Khalasi Employee" in short means a person conferred such a status as provided in paragraph 3 of this scheme.
3. **Contentment of the Status of a Regular Tindal/Khalasi Employee—**
 - (1) A Tindal/Khalasi Employee who has, immediately before the date of coming into force of this Scheme may be conferred with a status of a Regular Tindal/Khalasi Employee from such date, not being a date earlier than the date this Scheme came into force, as the appointing authority may by order specify.
 - (2) Conferment of a Regular Tindal/Khalasi Employee status on any Tindal/Khalasi Employee shall be made on the basis of records available in the office of the appointing authority and, whenever necessary, further documentation for the purpose of verification of age, initial employment and other particulars may be called for from the Tindal/Khalasi Employee concerned. Conferment of the status shall be without reference to availability of creation of post and a Regular Tindal/Khalasi Employee will continue to perform duties of a Casual Worker anywhere within the jurisdiction of the appointing authority. A Regular Tindal/Khalasi Employee shall be paid the Salary as may be fixed by the State Government existing from time to time.
 - (3) Only the existing Tindal/Khalasi Employee shall be with the status of a Regular Tindal/Khalasi Employee and no substitute shall be appointed in his place. Any appointment to the contrary will be viewed seriously and the authority making such appointment shall be held personally responsible for violation of the provisions of this scheme.
 - (4) Subsequent appointment of the Khalasis shall not be treated under Regular Tindal and Khalasi Employees Scheme. The Appointing Authority may appoint with the approval of Administrative Department (Revenue & Disaster Management Department) for a specific period, that is, during the field Season only subject to the exigencies of Survey works.
4. **Leave and other benefits—**
 - (1) A Regular Tindal/Khalasi Employee shall be entitled to earned leave on pro rate basis at the rate of one day for every fifteen days spent on work and such leave may accumulate upto a maximum of one hundred and twenty days only. A Regular Tindal/Khalasi Employee may avail earned leave with prior sanction of the Appointing Authority and shall be paid full Salary for the period of leave so availed of.

- (2) A Regular Tindal/Khalasi Employee shall also be entitled to leave of absence to a maximum of fifteen days in a year with prior permission from the Appointing Authority/Camp-in-Charge (when in field). Such leave shall not be entitled more than three days in a month.
- (3) A Lady Regular Tindal/Khalasi Employee shall be entitled to maternity leave as in the case of Group D Employees of the State Government.
- (4) A Regular Tindal/Khalasi Employee shall be entitled for earned leave only during the period from 15th June to 31st October of the Calendar year.
- (5) The Regular Tindal/Khalasi Employee will be entitled to Festival Advance, Children Education Advance and Pensionary Benefits as in the case of Group D Employees of the State Government.
- (6) Compassionate appointment shall not apply to the Regular Tindal/Khalasi Employee.
- (7) The Khalasis who are appointed after the date of publication of the Scheme shall not be entitled to any leave during the period as specified in the appointment order. Leave on Medical Certificate shall never be regarded as granted in the interest of Government.
- (8) The Leave Rule of Survey Department as envisaged in S. R. 113 of the Meghalaya Fundamental Rules and Subsidiary Rules, 1984 shall cease to be in force after the publication of this Office Memorandum.

5. Appointment of Tindal and Khalasi—

- (1) When vacancies in Posts of Tindal arise, it shall, subject to rules, orders and instructions as State Government may from time to time issue, be filled up from amongst the Regular Khalasi Employees possessing the required qualifications and field experience.
- (2) When a Regular Khalasi Employee is promoted to the post of Tindal, the service rendered as a Regular Khalasi Employee will be treated as a Regular Tindal/Khalasi Employee for the purpose of retirement benefits. Further, the earned leave referred to in paragraph 4 (1) of this Scheme which may be remaining at his credit on the date of such appointment will be carried over and added to the leave he may subsequently earn in the Tindal post.
- (3) Subsequent recruitment of the Khalasis shall have to be advertised in local newspapers and shall be subject to the approval of the Revenue & Disaster Management Department as specified in paragraph 3(4) of this Scheme. The appointment shall be made according to the Government policy with regard to the Reservation of vacancies.
- (4) The Khalasis who have been subsequently appointed for a particular field season shall not be paid any salary when their services are not required beyond the period as specified in the appointment order. However, they shall be first informed to join for duties when recruitment is required to be made in the subsequent field seasons.

6. Cessation and Dispensation of Services—

- (1) A Regular Tindal/Khalasi Employee shall cease to be employed on his attaining the age of 58 (fifty eight) years.
- (2) The services of a Regular Tindal/Khalasi Employee may be dispensed with by the Appointing Authority by giving a one month advance notice stating therein the reasons thereof.

7. Power of interpretation to relax the rules—

If any question arises relating to the interpretation to relax the rules, the decision of the Government in the Revenue & Disaster Management Department with the approval of Personnel & Administrative Reforms Department shall be final.

L. KHARKONGOR,
Secretary to the Govt. of Meghalaya,
Revenue and Disaster Management Department.